

SAN FRANCISCO BAY AREA WETLANDS RESTORATION PROGRAM DESIGN REVIEW GROUP

MEETING SUMMARY JULY 14, 2003

Attendees:

Andree Breaux (San Francisco Bay Regional Water Quality Control Board)
John Brosnan (Wetlands Restoration Program)
Steve Cochran (Friends of the San Francisco Estuary)
Josh Collins* (San Francisco Estuary Institute)
Rich Elb (Bahia Homeowner)
Jenn Feinberg (San Francisco Bay Conservation and Development Commission)
Arthur Feinstein (Golden Gate Audubon Society)
Nick Garrity (Philip Williams and Associates)
Laura Hanson* (Hanson and Associates)
Eric Hawk (Marin-Sonoma Mosquito and Vector Control District)
Ron Keith (Marin-Sonoma Mosquito and Vector Control District)
Chuck Krause (Marin-Sonoma Mosquito and Vector Control District)
Marla Lafer (San Francisco Bay Regional Water Quality Control Board)
Phil Lebednik* (LFR Levine-Fricke)
Michelle Levenson (San Francisco Bay Conservation and Development Commission)
Roger Leventhal* (FarWest Engineering)
Bill Lockett (Bahia Homeowner)
Mike Monroe (U.S. Environmental Protection Agency)
Michelle Orr (Philip Williams and Associates)
Chris Potter (California Resources Agency)
Barbara Salzman (Marin Audubon Society)
Stuart Siegel* (Wetlands and Water Resources)
Beverly Tarbell (Bahia Homeowner)
Eric Tattersall (California Department of Fish and Game)
John Zentner (Zentner and Zentner)

* Marin Audubon Society Tidal Marsh Restoration Project Design Review Team

1. Introductions/Review Agenda

Mike Monroe chaired the meeting and opened the discussion with a review of the agenda and a roundtable of introductions. He asked the group if there were any announcements. Chris Potter stated the Resources Agency statewide wetlands inventory project is progressing and a workshop is being held in September.

2. DRG Internal Business

John Brosnan provided an update on the Wetlands Restoration Program June 10 Executive Council meeting. John said the Council endorsed the Charter of Working Principles, which had been in revisions for about a year. John also provided an update on the Council's determination on the DRG's review of mitigation projects; the Council determined the DRG could only take

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review of a mitigation-based project when that project has a public sector project proponent and when the project is referred to the DRG by a reviewing, permitting agency. This approach would be reviewed at each Executive Council meeting, and the policy would stay in place on an indefinite basis. Arthur Feinstein highlighted the Lake Merritt project and was troubled by the subjective responses and the lack of consensus of the feedback within that Letter of Review. John said these concerns were of a procedural nature and that the DRG was able to address these concerns itself; he also noted the matter of avoiding answering subjective questions has been incorporated into the Ground Rules statement and the issue of achieving consensus of feedback would be discussed at an upcoming DRG meeting. Roger Leventhal asked about being able to provide rebuttals or additional feedback after a letter was completed; John said this was discussed at the last meeting and the group favorably received the idea. John added the concept simply needed a consistent, standard approach agreed upon before committing such feedback to the website.

John then reviewed the Ground Rules statement he'd distributed to the group via email. He said this document was produced in the preparation for the Executive Council meeting by reviewing all of the email debates about the DRG; concerns and/or suggestions were bifurcated into either policy concerns (which were brought to the Council) or procedural concerns (which then collectively composed the Ground Rules statement). John asked for comments from the group, both at that time and over email after the meeting. **Phil Lebednik suggested the document state it is a DRAFT and be dated.** He also asked about keeping regulatory agency staff off of review teams; John said this had been adopted at the request of Executive Council members.

John then reviewed the DRG Project Checklist that had been developed for application to all projects to make sure each received a consistent review, project to project; he added this would eliminate some concerns with subjective questions, as well. **Phil Lebednik suggested the document state it is a DRAFT and be dated, that it maintain a Purpose statement at the fore, and it contain a disclaimer to the effect of the "DRG is not a permitting or funding group."** Phil suggested adding a description of landscape issues to #5 (How does the project fit into the landscape? How does it fit into an existing or proposed plan?) He also suggested highlighting the sections of human values and elaborating on contaminants. Josh Collins suggested the DRG management establish a list of past and proposed projects in the area and state how the proposed project would fit into that. Josh suggested comments come into John within two weeks. Arthur said #3 should reflect the Executive Council's determination on mitigation projects. Marla Lafer suggested adding "catch-all" site constraints category and potential adverse effects, both of which could change the way a project would be reviewed. Roger pointed out some of the information could be used to assist proponents craft a proposal, in advance of data collection. **Stuart Siegel suggested asking how the objectives were derived and asking how flexible they are.** Andree Breaux suggested adding percentages to the water sources, changing "endangered species" to "special-status species" and adding herps to the Biological list.

John said he would date and "draft" the documents and circulate them via email; Mike Monroe stated the group should have comments to John within two weeks.

3. DRG Project Presentation: Marin Audubon Society Bahia Tidal Marsh Restoration

3a. Project Presentation

Stuart pointed out that, due to the very conceptual nature of this project, the Letter of Review would likely look very different from previous letters. Mike Monroe gave the floor to Barbara Salzman. Barbara named some members of her project planning team, which included Peter Baye on plants, PRBO doing pre- and post-project surveys, the California Department of Fish and Game (CDFG) doing CEQA and providing harvest mouse input, and Cooper, Crane & Rigging doing the tidal marsh design. The Project Site is located on the west side of the Petaluma River, south of Black John Slough, and north of the Bahia neighborhood on the east side of the city of Novato. Marin Audubon Society (MAS) purchased the property - a total of 645 acres - in January 2003. Since then, it has been divided into different ownerships, with 330 acres to be restored to tidal marsh and managed by CDFG, the oak woodlands being managed by the Marin County Open Space District, and Marin Audubon Society retaining 20 to 45 acres of tidal marsh on 60 acres area to be restored to tidal wetlands. Currently, the site includes 350 acres of seasonal wetlands (diked baylands), which includes a 100' upland buffer; the former RV gravel parking lot has been vacated.

The site contains one of the largest populations of clapper rail in the North Bay; it is believed that human impacts and predation have caused population losses in other areas of the North Bay. This project needs to be coordinated with the contiguous Bahia Homeowners' Association lagoon dredging and lock project and Marin Audubon would be willing to consider some other boat access for the homeowners, yet any alternative could compromise some planned restoration. Such an alternative would have to be cleared with the funding suppliers and not conflict with the intended use of the funds. The funding for restoration on the West Bahia and Central Bahia parcels has been secured through CALFED, yet not for the restoration on the peninsulas of East Bahia. Phil asked where the clapper rails are densely located and Barbara said they reside in the lagoon and channel that would be dredged by the Homeowners' Association (BHA) project. Larry Wyckoff said red fox was likely not the key predatory problem, as he's seen more coyotes than foxes in the areas; he added he would not say there is a red fox population there.

Michelle Orr then presented the geography, the planned restoration, and the opportunities and constraints. As yet, there is no invasive *Spartina alterniflora* on or near the site. The West and Central diked parcels have been pumped dry every year until this year, since the pump broke and fell into the channel. The standing water on the site is believed to be ponded rainwater; these sites have experienced a good deal of subsidence over the past 100+ years. In order to raise the elevations of the site, fill will be imported from the East Bahia site to the West and Central parcels. Then, the levees will be lowered or breached to achieve tidal inundation and natural sedimentation will be relied upon to further raise the site elevations. Fill removed from the East parcel will allow a lowering of the peninsulas' elevations to tidal marsh level; however, the Homeowners' Association owns the lagoon and that will require close coordination between MAS and BHA. Opportunities at the site include the restoration of 330 acres to tidal marsh and a significant upland edge, the potential to integrate the Mahoney Spur, and the use of onsite fill. Constraints on the project include low existing site elevations, Black John Slough being initially undersized, coordinating of phasing with the East Bahia parcel, minimizing impacts to salt marsh harvest mouse populations, and a potential access road through one of the parcels.

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Larry said the salt marsh harvest mice are well dispersed around the project site. Josh felt the question was how best to minimize population losses to the mouse during the construction and early restoration phases. **Phil suggested the team might consider more mouse habitat towards the oak woodlands with isolated areas away from the edges, toward Black John Slough. Josh suggested taking some fill and spreading it along the upland edges, which would augment what was done historically during dredged material deposition and provide refuge for mice.** Stuart felt the question was what are the impacts during the transition to tidal marsh? **Stuart suggested using the areas of highest elevation and enlarging/raising up those first.** Roger asked about the existing trails, and Barbara said they may get flooded but a buffer was being maintained to prevent that. Michelle said there were options for the location of the levee breach(es) and noted the team is hesitant to enlarge Black John Slough. **Stuart suggested the team not be hesitant about enlarging it, and discouraged overly relying on natural scour to widen the channel.** Larry resounded the need to have good, unrestricted flows through the channel. Chuck Krause felt it would be beneficial for circulation and for controlling mosquito populations by enlarging Black John Slough and the connector channel. Arthur felt that that dredged material could be used in the project. Relating this project to Sonoma Baylands, Michelle noted the tidal channel connection [to the Petaluma River] was about one mile long, and there were two key differences between the projects; (1) there was not the same time expectations at Bahia and (2) there was a debris issue at Sonoma that caused diminished flows to the site.

Josh felt the objective should be to get the greatest flow of water with the least dredging necessary. He asked, what channel provides the opportunities for the greatest tidal prism? **Josh suggested two breaches could be used, with a smaller one at the West parcel and a larger one on the Central parcel.** He added, if a connector channel linked to a larger breach on the [currently sedimented-in channel], there would likely be much less scour than if it were along Black John Slough. John Zentner resounded this point, saying a breach and channel connecting to Black John Slough could result in more loss of existing tidal marsh habitat, which is where the historical tidal channels exist. He suggested the project team look at CSW Engineering elevation data (Novato firm). Steve Cochrane mentioned a Hayward Shoreline project where the levee was breached and the outboard marsh disappeared by 4 feet for year, and completely disappearing in 15 years, due to tidal scour. Stuart responded that, at Bahia, the outboard marsh was not exposed to open bay.

Phil suggested considering the location of the historical channels when planning the channel locations for the tidal restoration. Phil noted research suggests higher abundance of clapper rails is correlated with higher diversity of habitat types; he asked if there were any mercury contamination concerns. Michelle said the channel fringe marsh (on the north edge of the site) was formed after the gold rush, and thus could contain higher levels of mercury in the sediments. Phil noted that, if there were methylation going on at the site, there could be higher mercury concentrations in invertebrates, which could lead to bioaccumulation in rails. Barbara noted tide gates had been suggested as an option to control the water levels upon breaching the levees; Larry said CDFG would prefer not to see the gates due to maintenance funding concerns. In terms of planning for data collection, **Stuart suggested using NAVD instead of NGVD and performing cross-section surveys in Black John Slough and the next order channel [the potential breach channel].** He also asked where the ponded water was coming from, and many felt it was simply rainwater and runoff from the very steep slopes adjacent to the site. Stuart asked what the MAS access provision requirements were for the site, and

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Barbara said she was unsure yet. Phil asked if there were connections between the existing rail populations, and Larry and Arthur said the rails were quite mobile.

Mike Monroe asked the staff from Marin-Sonoma Mosquito and Vector Control District if there were any design features that should not be included. Chuck said to ensure water keeps moving through the site. Ron Keith said the seasonal wetlands in the RV area are less preferable. Larry said, from his agency's perspective, he'd like to see seasonal wetlands remain there and perhaps use a weir to keep them in tact. Barbara pointed out there is a muted tidal pond at Rush Creek and Cemetery Tract. **Josh suggested the seasonal wetlands could emphasize the woodlands side opposed to the bayside habitat.** Chuck noted if Mahoney Spit is not incorporated into the design, than that could leave the Vector Control District with an access problem. **Laura Hanson recommended a rare and endangered plant survey be done, given the large size of the seasonal wetlands at the site.** She noted there is soft bird's beak in Petaluma Marsh and in Point Edith. **She also recommended the project team plan to control for Lepidium and noted spraying in the most effective method.** Stuart added the problem was not a major issue at Carl's Marsh, across the river. John Zentner noted wild rye planting is an effective competitor for Lepidium.

Stuart recommended the DRG review the proposed work plan for the project before data collection begins. He offered data to the team, such as tidal datums and suspended sediment data from Carl's Marsh. Josh asked if the team really needed to create a topographic map for the project and said those funds could be shifted elsewhere. Stuart noted that, for this project, the dense vegetation at the site could prevent good photogrammetry; **he added the group should define how the data would get used before collecting it.** Chuck suggested the team factor in the ability to establish circulation patterns on the site at the front end. Michelle said one option to develop before coming back to the DRG is to develop and present some alternatives.

3b. Public Comment

Bill Lockett said he's used the trails at Bahia for several years and had never until this year seen so much ponded water, all the way up to the south edge of West Bahia. Chuck said this was a result of the broken pump. Bill then referenced the dredge/lock project, questioning why it did not get to come before the DRG; Bill stated he wanted to see fairness in the process. Mike Monroe said the project review was initiated and the DRG did not look at the lagoon dredging and lock project, but reviewed only the mitigation component at the State Lands/Twin House ranch site. Mike added some representatives of the Bahia Homeowners' Association attended the Executive Council meeting and witnessed the Council's determination that it was not appropriate for the DRG to issue letters on privately sponsored mitigation projects. Mike stated the consultant, John Zentner, did receive some good feedback at the meeting. Arthur pointed out there is a large difference between projects - such as the MAS Bahia project - that are motivated by restoration alone and those that are driven by having to compensate for an impact, as did the State Lands/Twin House project. Rich Elb wanted to know how a project was able to come before the DRG. John Brosnan talked through the project summary submission process; John then discussed the events that led up to the Executive Council's decision to exclude private mitigation projects, including the letter sent from David Lewis at Save the Bay to Executive Council co-chair Mary Nichols. John mentioned that these sentiments were not solely directed at the BHA project, but at other mitigation projects the DRG had

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reviewed. Josh Collins pointed out there were political undertones to not reviewing mitigation projects, but stated there is a need in the region to know about all related projects regardless of their motivation.

4. Meeting Summary and Adjournment

Mike asked the group to have comments on the two documents into John within two weeks; John will get the Draft Letter of Review out within a week. The meeting was adjourned.